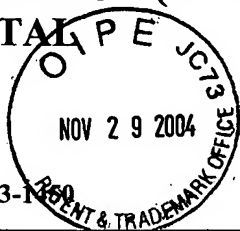


REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450



Application Number	10/787,433
Filing Date	February 26, 2004
First Named Inventor	Michael Wayne Johnson
Art Unit	3749
Examiner Name	Stephen Michael Gravini
Attorney Docket No.	11430.2157

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** NOTE: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed, unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☒ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 08-2442
- i. ☐ RCE fee required under 37 CFR 1.17(e) 11/30/2004 JADD01 00000073 10787433
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 790 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	David L. Principe	Registration No. (Attorney/Agent)	39,336
Signature		Date	November 24, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Janice Capuani	Date	November 24, 2004
Signature			

**FREE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)790

Application Number

10/787,433

Filing Date

February 26, 2004

First Named Inventor

Michael Wayne Johnson

Examiner Name

Stephen Michael Gravini

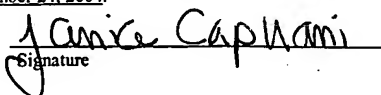
Group/Art Unit

3749

Attorney Docket Number

11430.2157

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)					
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: <u>08-2442</u> Deposit Account Name: <u>Hodgson Russ LLP</u> The Director is hereby authorized to (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any fee deficiencies or credit any overpayments <input type="checkbox"/> Charge any additional fees during pendency of this application. <input type="checkbox"/> Charge fees indicated below, except for the filing fee to the above-identified deposit account					3. ADDITIONAL FEES					
					Large Entity		Small Entity			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid					
1051	130	2051	65	Surcharge - late filing fee or oath	\$					
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$					
1053	130	1053	130	Non-English specification	\$					
FEE CALCULATION					1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1. BASIC FILING FEE					1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
Large Entity Small Entity					1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid							
1001	790	2001 395 Utility filing fee	\$	1251	110	2251	55	Extension for reply within first month	\$	
1002	350	2002 175 Design filing fee	\$	1252	430	2252	215	Extension for reply within second month	\$	
1003	550	2003 275 Plant filing fee	\$	1253	980	2253	490	Extension for reply within third month	\$	
1004	790	2004 395 Reissue filing fee	\$	1254	1,530	2254	765	Extension for reply within fourth month	\$	
1005	160	2005 80 Provisional filing fee	\$	1255	2,080	2255	1,040	Extension for reply within fifth month	\$	
SUBTOTAL (1)					1401	300	2401	150	Notice of Appeal	\$
2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE					1402	340	2402	170	Filing a brief in support of an appeal	\$
Extra Fee from Claims below					1403	300	2403	150	Request for oral hearing	\$
Total Claims	/ / -20** = / / x / / =	\$		1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$	
Independent Claims	/ / - 3** = / / x / / =	\$		1452	110	2452	55	Petition to revive - unavoidable	\$	
Multiple dependent	/ / x / / =	\$		1453	1,370	2453	685	Petition to revive - unintentional	\$	
Large Entity Small Entity					1501	1,370	2501	685	10 advance copies	\$
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	Utility issue fee (or reissue)						
1202	18	2202 9 Claims in excess of 20	\$	1502	490	2502	245	Design issue fee	\$	
1201	88	2201 44 Independent claims in excess of 3	\$	1503	660	2503	330	Plant issue fee	\$	
1203	300	2203 150 Multiple dependent claim if not paid	\$	1460	130	1460	130	Petitions to the Commissioner	\$	
1204	88	2204 44 **Reissue independent claims over original patent	\$	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	\$	
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent	\$	1806	180	1806	180	Submission of Information Disclosure Statement	\$	
SUBTOTAL (2)					8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$
SUBMITTED BY:					42,475					
David L. Principe Reg. No. 39,336					1809	790	2809	395	Filing a submission after final rejection(37 CFR 1.129(a))	\$
SIGNATURE 					1810	790	2810	395	For each add'l invention to be examined(37 CFR 1.129(b))	\$
DATE: November 24, 2004 Telephone: (716) 848-1262					1801	790	2801	395	Request For Continued Examination (RCE)	\$790
					1802	900	1802	900	Request for Expedited Examination of a design application	\$
					Other fee (specify) _____				\$	
					*Reduced by basic filing fee paid				\$790	
					SUBTOTAL (3)				\$790	

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 24, 2004.Janice Capuani
Name
SignatureNovember 24, 2004
Date of Signature

1044388